



ATTACHMENT A

REMARKS

The interview held with Examiner Singh, on March 24, 2005, is gratefully acknowledged.

The courtesy and cooperative spirit shown by the Examiner during the interview is much appreciated. The interview centered around the rejection on prior art and proposed amendments to independent claims 1, 15 and 19. In general, agreement was reached that the claims, as amended, define over the Pugliese and Wooley et al reference either alone or in combination. The substance of the discussions at the interview is incorporated in the remarks which follow.

Turning to the Office Action, claims 1-3, 6, 11 and 19 have been rejected under 35 USC 102(b) as being "anticipated by" Pugliese. This rejection is respectfully traversed although, as indicated above, claims 1 and 19 have been amended to more clearly define over the reference.

The Pugliese discloses a protective structure for ships and in particular, "for protecting the hulls of ships and vessels from being damaged by the impact or explosion of submarine mines." The structure is "of the kind in which chambers or tanks are provided along each side of the hull, such chambers serving to absorb the energy of the explosion." The tanks of Pugliese are "fitted and firmly supported in a convenient manner, at each side of the ship" by means of recesses "e" formed in the sides of the ship. The Pugliese patent specifically provides that the external chamber of the tanks ("b") "is filled up with any liquid substance such as salt water, oil or the like while the internal chamber or chambers will be left vacant or filled up with an extremely compressible substance having a very low density such as cork or the like."

As indicated above, claim 1 has been amended to more clearly define over the Pugliese patent. First, claim 1 recites that the floatation device includes a "free floating floatation unit." It is respectfully submitted that the tanks "b" of Pugliese are not free floating floatation units. In this regard, while a floatation device 10 of preferred embodiments of the invention is, in some embodiments, used in combination with another floatation device 10 as part of a structural unit as shown for example in Figures 2 and 3, the devices 10 themselves are free floating. In contrast, the tanks of the Pugliese patent are always mounted on the ship and are clearly not free floating. Moreover, while it is possible that these tanks, if separated from the ship, would float, this is not stated in the Pugliese patent and would, of course, depend on the weight of the material used to make up the tank walls. In this regard, these walls could be quite thick and heavy, given their function of preventing damage from explosives or impacts from torpedoes.

Further, claim 1 also provides that the floatation medium within the outer cavity of the floatation device is a non-liquid floatation medium. This again clearly defines over the Pugliese patent wherein, as noted above, Pugliese specifically provides for the use of a liquid in the outer chamber. The use of a liquid is consistent with the use of the tank in preventing damage from explosions or impact from torpedoes or the like and contrasts, for example, with the use of a polymeric foam material or the like.

With respect to claim 19, this claim has been amended to recite, inter alia, an open framework, including at least two triangular, longitudinally interconnected frame members, connecting the at least two floatation devices together in side by side relation. No such open framework construction is disclosed in the Pugliese patent. Moreover, the Wooley et al patent, which has been applied to claims on which amended claim 19 is based, does not disclose such an open framework either.

In the latter regard, while the Wooley et al patent discloses a series of triangular shaped members 13, these members merely serve as brackets or the like for holding the triangular shaped stack of barrier members together, as shown, for example, in Figures 2-4. Members 13 do not provide an open framework and are not interconnected together by longitudinal members. The open framework of claim 19 results in a barrier unit that has an optimally located center of gravity and provides important advantages as compared with other arrangements for connecting barrier units together, including that of the Wooley et al patent.

Claims 4, 5, 7-10, 12-18 and 20-22 have been rejected under 35 USC 103(a) as being “unpatentable over Pugliese in view of Wooley et al.” This rejection is respectfully traversed, although as indicated above, independent claim 15 has been amended to more clearly define over the references and is believed to be clearly patentable thereover.

Claim 15 recites, inter alia, an open framework comprising at least two triangular members interconnected by longitudinally extending members, and thus distinguishes over the Pugliese and Wooley et al patents for basically the same reasons as discussed above in connection with claim 19. In addition, and this applies to claim 19 as well, it is respectfully submitted that it would not be obvious to combine the teachings of the Pugliese and Wooley et al patents. In this regard, the Pugliese tanks are intended to be “firmly fitted” to the sides of a ship and there would simply be no reason whatsoever to use these tanks as the floatation members in the Wooley et al patent. It is respectfully submitted that the tanks of the Pugliese patent and the

floatation units of the Wooley et al patent are very different devices and given the nature of the devices and the functions that the two are to perform, any combination of the teachings of the two references is necessarily the improper product of hindsight.

With respect to the rejections of the dependent claims, it is respectfully submitted that these claims are patentable for at least the reasons set forth above in support of the claims parent thereto.

Allowance of the application in its present form is respectfully solicited.

END REMARKS